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RUEHKT/AMEMBASSY KATHMANDU PRIORITY 9963  
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RUEHNE/AMEMBASSY NEW DELHI PRIORITY 0941  
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C O N F I D E N T I A L SECTION 01 OF 02 DHAKA 001199

SIPDIS

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SUBJECT: NO ELECTION DEAL YET, BUT DOOR STILL OPEN

REF: DHAKA 1194

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Classified By: Deputy Chief of Mission Geeta Pasi. Reasons: 1.4 (b) and (d)

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SUMMARY  
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1. (C) The deadline set by the Bangladesh Nationalist Party (BNP) for the Caretaker Government to meet its election demands passed late November 19 with no agreement. As a result, the Caretaker Government reaffirmed its intention to hold elections as originally scheduled on December 18. Still, the door remained open for a last-gasp deal. The two sides agreed privately to postpone the Parliamentary election by 10 days to December 28, but the status of three other demands made by the party remained uncertain. Bangladesh's other major party, the Awami League, also had yet to agree publicly to delayed elections. The Bangladesh Army chief told a visiting U.S. Department of Defense official the military would remain neutral and support the electoral process. At stake is whether the return to democracy for the this moderate, Muslim-majority nation of 150 million people is likely to be smooth and peaceful. The Embassy is in constant contact with senior politicians and government officials to urge a compromise under which all parties would participate in the election.

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SO CLOSE, BUT PARTIES CAN'T CLOSE DEAL  
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2. (C) The latest round of frantic behind-the-scenes jockeying took place after the BNP issued an ultimatum November 17 saying the party would participate in Parliamentary elections only if the Caretaker Government met four demands within 48 hours. (Reftel) The party demanded the delay of the election until the end of the Hajj pilgrimage, which BNP Chairwoman Khaleda Zia subsequently told the Caretaker Government meant no earlier than January 15. The government balked, saying the vote must be held in December in accordance with its road map for the return to democracy by year's end. Several BNP sources said that by the evening of November 19 Khaleda Zia agreed to the December date. They claimed that the chief Caretaker Government negotiator -- Education Adviser Hossain Zillur Rahman -- also agreed to the three other demands: lifting the State of Emergency after the deadline for candidate registration; delaying local elections; and repealing the Election Commission's power to unilaterally disqualify candidates at any time.

13. (C) By early evening November 19, the Chief Election Commissioner confirmed the Parliamentary election would be delayed until December 28 if both major political parties agreed. Zia adviser Shafik Rehman said Zillur asked the BNP to fax over a written agreement, to which the party responded that he visit the party leader in her office. Hossain did not immediately respond, and within an hour he announced that no deal was reached and the elections would be December 18 as scheduled.

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WHAT WENT WRONG?  
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14. (C) A number of issues appeared unresolved by the BNP ultimatum deadline. In keeping with their legendary distrust of one another, neither Khaleda Zia nor Awami League President Sheikh Hasina appeared willing to be the first to publicly endorse a compromise election date of December 28. Indeed, the Awami League has yet to clearly signal a willingness to postpone an election it feels it is certain to win. Disagreements between the military-supported Caretaker Government and the BNP on the other demands also surfaced. The Caretaker Government did not appear to accept the BNP timetable for local elections, propping instead a delay until January 8. The Election Commission, perhaps reflecting the views of the military, was said to be reluctant to give up its power to disqualify candidates. Chief of Army Staff Gen. Moeen Uddin Ahmed told Deputy Assistant Secretary of Defense James Clad on November 20 an early lifting of the State of Emergency could lead to the release from jail of criminals who could disrupt the elections. Later, a senior political source told EmbOff that all the Advisers could offer was to lift the State of Emergency no later than December 26, but

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only when conditions warranted.

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THE FAT LADY HAS YET TO SING  
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15. (C) Yet hope for a compromise remains. Moeen said the military would remain neutral and continue to support the electoral process. He also cited a High Court ruling as requiring the Parliamentary elections be held in 2008. Meanwhile, the Election Commission delayed by three days to November 23 the deadline for submitting nomination applications for Parliamentary candidates, giving the BNP some breathing room. While the BNP responded angrily to Zillur's statement reconfirming the election date as December 18, it left the door open for further discussions by not announcing a boycott. The following day, November 20, both Education Adviser Zillur and senior BNP advisers told EmbOffs they still supported a December 28 election. As of midday November 20, the BNP was mulling whether to issue a statement affirming its willingness to participate in elections December 28.

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COMMENT: NOW IS THE TIME FOR STATESMANSHIP  
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16. (C) While the Bangladeshi game of political chicken goes into overdrive, we and others in the international community are urging senior contacts to act responsibly and to compromise to ensure free, fair, credible and fully participatory elections by the end of December. That scenario is most likely to ensure a stable and sustained return to democracy that would create an unfavorable environment for domestic terrorists and international extremists seeking a safe haven in South Asia. The question of the hour is whether Bangladesh's two former prime ministers -- Khaleda Zia and Sheikh Hasina -- finally show the statesmanship required to make that scenario a reality.  
Moriarty